Remarks

Claims 1-54 are pending in the application. Claims 1, 10, 19, 29 and 44 are the only independent claims.

Applicants wishes to thank the Examiner for his time in conducting the telephone interview of September 2, 2004 and his observations regarding the invention and the claims.

Claims 1-54 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Oklahoma County Assessor's website http://www.oklahomacounty.org/assessor/TaxCalculator.htm. Applicants respectfully traverse this rejection. The Oklahoma County Assessor's website does not teach or suggest a system that is capable of processing property tax information accurately for many taxing jurisdictions each of which may have a different set of tax rules, as can Applicants' invention. Rather, the Oklahoma County Assessor's website reflects a system that can be used to make an approximate property tax calculation for only a single taxing jurisdiction (i.e., Oklahoma County) according to one rule (i.e., the property tax formula for Oklahoma County).

The cited Oklahoma County Assessor's website includes a Tax Bill Calculator page that allows a user to manually enter information for calculating an approximate property tax bill for property located in the single taxing jurisdiction of Oklahoma County. As explained in the instructions on the Tax Bill Calculator page, the user must manually enter numeric values in data entry fields for the taxable market value, homestead exemption and tax rate. The Tax Bill Calculator then applies the rule (i.e., the formula) for calculating property taxes in Oklahoma County to determine a "close approximation of the actual tax bill from the information entered." In order to find information regarding the taxable market value, homestead exemption and applicable tax rate for a property, the user must manually use the links on the Tax Bill Calculator Page. For example, when the user selects the link entitled "Click here to research," the website displays a page for searching a database of Oklahoma County property tax information. When the user enters search information to find a particular property, the website will display information for that property including the taxable market value and applicable tax district code for the property, which is displayed on a tax district button. When the user selects the tax district button, the website displays a table of Oklahoma County tax rates/millages for the various tax districts in Oklahoma County, including the tax rate for the tax district of the subject property. The user can then manually plug the taxable market value and the displayed tax rate into the Tax

Bill Calculator, along with the applicable homestead exemption, and the Tax Bill Calculator will calculate an approximation of the tax bill. Thus, the Oklahoma County Assessor's website is dedicated to processing property tax information for only one specific tax jurisdiction (i.e. Oklahoma County) according to one set of rules. It cannot process multi-jurisdictional property tax information.

In contrast to the Oklahoma County Assessor's website, the system and method of Applicants' invention can be used to process property tax information accurately for multiple tax jurisdictions. The system of Applicants' invention is capable of processing property tax information for any one of the 9,000 plus tax jurisdictions in the United States according to the corresponding sets of rules for each of those jurisdictions, which can differ from jurisdiction to jurisdiction.

Claims 1-54 presently stand rejected based upon the Examiner's reasoning that each school district in Oklahoma County is a separate "jurisdiction" and that the tax rates, which vary across the county depending on the specific school district in which the property is located, represent different "tax rules" or "templates." As explained below, however, the school districts shown on the Oklahoma County website are not separate "jurisdictions" within the meaning of that term as used in Applicants' claims, and the different tax rates for each school district in Oklahoma County do not represent different "tax rules" for different jurisdictions.

According to common property tax terminology, there is a distinction between a tax jurisdiction and a tax district. In common property tax terminology, property tax jurisdictions include assessing jurisdictions (i.e., property tax assessors) and billing/collecting jurisdictions (i.e., property tax treasurers). Property taxes are authorized by state laws and sometimes state constitutions. State laws dictate certain practices and procedures, but the local governmental assessing and billing/collecting jurisdictions have the right to create their own assessment and collection rules and procedures interpreting or implementing state law. Thus, property tax jurisdictions can establish property tax rules pursuant to power delegated by the state in which the jurisdiction is located.

In most states, the assessing and collecting jurisdiction are one and the same and are referred to commonly as the tax jurisdiction. For examples, in California there are 65 counties that are tax jurisdictions, and in Arizona there are 16 counties that are tax jurisdictions. There

are approximately 9000 tax jurisdictions in the United States, which is roughly equivalent to the number of counties and townships in the United States. Property tax rules and procedures can be different between tax jurisdictions. For example, Cook County, Illinois computes property taxes according to a formula that is unique to Cook County, and all other counties in Illinois follow another formula. For another example, Maricopa and Pima Counties in Arizona follow an appeal procedure that no other counties in Arizona follow.

In common property tax terminology, a tax district is a local authority that has the right to levy a property tax. In contrast to tax jurisdictions, there are approximately 80,000 tax districts in the United States. Each jurisdiction can have multiple tax districts, with the average being close to ten tax districts per jurisdiction. In further contrast to a tax jurisdiction, a tax district does not establish property tax rules but instead simply creates a budget for the district. The creation of this district budget results in a specific tax rate levied by the district. A tax rate levy is simply a rate in terms of dollars that shall be applied in the context of a property tax formula established by the tax jurisdiction in which the district is located. The tax rate is a piece of data within the tax calculation formula. For example, in the tax jurisdiction of Maricopa County, Arizona the formula for computing property taxes is as follows:

> Full cash value x assessment ratio x secondary tax rate + limited value x assessment ratio x primary tax rate, subject to the constitutional limitation of 1% of overall value of the property for owner-occupied residential property. The primary and secondary tax rates are predicated upon the particular tax district in which a parcel of property is located.

Because a property tax levy is specific to each tax district, tax districts can vary in the amount of the rate levied. Therefore, the tax district in which a property is located determines the amount of the tax rate levied upon the property. The tax rules for all of the districts within a jurisdiction, however, are the same.

Consistent with common tax terminology, Applicants' specification also distinguishes a tax jurisdiction from a tax district. Within Applicants' system, each state is subdivided into jurisdictions. (See page 29). As described in Applicants' specification, "jurisdictions" are tax assessing or billing entities that have the power to prescribe tax rules for determining one or more property tax criteria for the jurisdiction. (See pages 28-35, FIG. 24). When a jurisdiction is

set up within Applicants' system, the user can attach templates to the jurisdiction. These templates reflect tax rules for determining one or more of: the period of time that constitutes a tax year; computing property taxes payable; property revaluation cycles; property tax installment payment terms; property tax appeal procedures; and local property tax terminology. The tax rules may differ for each jurisdiction of the plurality of jurisdictions. (See page 35). Thus, as described in Applicants' specification, a "jurisdiction" represents a tax assessing or billing authority that prescribes these tax rules.

In contrast to jurisdictions, "districts" as described in Applicants' specification represent authorities that merely set tax rates. Tax districts can be set up within Applicants' system for a particular jurisdiction. (See page 18 and FIG. 7.) A plurality of such districts can be attached to a single jurisdiction. These tax districts are used "for attaching tax rates to parcel records within the system." (Page 33, lines 3-5.) The only information that a user enters for a particular tax district (other than information to identify and describe the district and attach it to a jurisdiction) is the tax rates set by the district. (See page 33 and FIG. 45). Thus, as used in Applicants' specification, a "district" is an authority that merely sets tax rates.

The Oklahoma County Assessor's website discloses a system that can be used to make an approximate property tax calculation for only a single taxing jurisdiction, i.e. Oklahoma County, according to one rule, i.e. the property tax formula for Oklahoma County. The system cannot process information for another jurisdiction that does not use the exact same rules as Oklahoma County. Thus, the Oklahoma County Assessor's website information does not teach or suggest a system that is capable of processing property tax information accurately for many taxing jurisdictions each of which may have a different set of tax rules, as can Applicants' invention.

Claims 1-9, 27 and 28

Claim 1 of Applicants' invention is directed to a system that includes a data storage device, an output device and a processor. The processor is programmed to maintain in the storage device a database of property tax data including a plurality of account records, each account record including an account identifier, a state identifier, and a jurisdiction identifier. The processor is also programmed to maintain in the storage device a plurality of tax rule template records, each tax rule template record including a template tax year identifier, a template state identifier, a template jurisdiction identifier and one or more property tax calculation parameters.

The processor is also programmed to receive an input requesting a report of information for a specified account record, to automatically retrieve a tax rule template from the stored plurality of tax rule templates based on the tax year identifier, the state identifier and the jurisdiction identifier of the specified account and the template tax year identifier, the template state identifier and template jurisdiction identifier; to generate the requested report using the property tax calculation parameters from the retrieved template record, and to output the requested report to the output device.

Applicants' have amended claim 1 to expressly state that the jurisdiction identifier is "for associating the account record with a jurisdiction selected from a plurality of jurisdictions associated with a given state . . . ." In addition, to make it clear that the term "jurisdictions" as used in claim 1 does not include districts that only set tax rates and do not assess or collect property taxes, Applicants have amended claim 1 to recite that "each of the jurisdictions represents a tax assessing or billing authority having geographic boundaries and having the power to prescribe one or more tax rules applicable to property within the jurisdiction's boundaries, such tax rules including: the period of time that constitutes a property tax year; formula for computing property taxes payable; property tax revaluation cycle; property tax installment payment terms; property tax appeal procedures; and property tax terminology and labels; . . . ."

The Oklahoma County Assessor's website does not teach or suggest a system having the elements recited in claim 1. Applicants respectfully suggest, therefore, that claim 1 is patentable over the Oklahoma County Assessor's website reference.

Claims 2-9, 27 and 28 depend from and include all of the limitations of claim 1. For the reasons set forth above, therefore, Applicants respectfully suggest that claims 2-9, 27 and 28 also are patentable over the Oklahoma County Assessor's website reference.

Claims 10-18

Claim 10 is directed to a method for managing property tax information for a plurality of taxing jurisdictions. The claim has been amended to expressly state that "each of the taxing jurisdictions is a tax assessing or billing authority that has the power to prescribe property tax rules . . . ."

The Oklahoma County Assessor's website does not teach or suggest a method for managing property tax information for a plurality of such taxing jurisdictions. Applicants respectfully suggest, therefore, that claim 10 is patentable over the Oklahoma County Assessor's website reference.

Claims 11-18 depend from and include all of the steps of claim 10. For the reasons set forth above, therefore, Applicants respectfully suggest that claims 11-18 also are patentable over the Oklahoma County Assessor's website reference.

Claims 19-26

Claim 19 is directed to a computer-readable medium having stored thereon a database of property tax data including a plurality of account records. Each account record includes an account identifier for identifying a property tax account of the plurality of property tax accounts, a tax year identifier for identifying the tax year applicable to the account, a state identifier for identifying the state applicable to the account and a jurisdiction identifier for identifying one of a plurality of jurisdictions within the state applicable to the account. The database also has stored thereon a plurality of templates. Each template includes a template tax year identifier, a template state identifier, a template jurisdiction identifier and one or more property tax calculation parameters. Claim 19 has been amended in part to expressly state that "each of the plurality of jurisdictions represents a tax assessing or billing authority that has the power to prescribe property tax rules."

The Oklahoma County Assessor's website does not teach or suggest a computer-readable medium having the elements of claim 19. Applicants respectfully suggest, therefore, that claim 19 is patentable over the Oklahoma County Assessor's website reference.

Claims 20-26 depend from and include all of the elements of claim 19. For the reasons set forth above, therefore, Applicants respectfully suggest that claims 20-26 also are patentable over the Oklahoma County Assessor's website reference.

Claims 29-43

Claim 29 is directed to a computer-readable medium having stored thereon a plurality of property records each comprising a real estate parcel record or a personal property account record. Each property record includes a parcel or account identifier, a tax year identifier representing a tax year applicable to the property record, a state identifier representing a state

applicable to the property record and a jurisdiction identifier. The computer-readable medium also has stored thereon a plurality of tax rule template records, each tax rule template record including a tax year identifier, a state identifier, a jurisdiction identifier and one or more property tax calculation parameters. The computer readable medium also has stored thereon a table of tax year identifiers, state identifiers and taxing jurisdiction identifiers, the table linking each of the property records to one or more of the template records so that the linked property record and template records have the same tax year identifier and jurisdiction identifier The computer readable medium also has stored thereon a set of computer program instructions operable with each of the tax rule template records to perform a property tax calculation for a property record selected from the plurality of property records, the program instructions using the property tax calculation parameters of the one or more template records linked to the selected property record. A property tax calculation can be performed for any property record of the plurality of property records regardless of the tax year, state and jurisdiction applicable to the property record. The claim has been amended to expressly state that the jurisdiction identifier represents "a property tax assessing or billing authority that has the power to prescribe property tax rules."

The Oklahoma County Assessor's website does not teach or suggest a computer readable medium including all of these elements. Applicants respectfully suggest, therefore, that claim 29 is patentable over the Oklahoma County Assessor's website reference.

Claims 30-43 depend from and include all of the elements of claim 29. For the reasons set forth above, therefore, Applicants respectfully suggest that claims 30-43 also are patentable over the Oklahoma County Assessor's website reference.

Claims 44-54

Claim 44 is directed to a method of providing and selecting parameters for making property tax calculations for a property tax account for taxes to be billed or assessed by one of a plurality of jurisdictions. The method includes: retrieving a set of parameter options, each parameter option representing a parameter required for making a property tax calculation for taxes to be billed or assessed by one or more of the plurality of jurisdictions; displaying the parameter options on the display; receiving from the selection device one or more signals indicating the selection of parameters from the set of parameter options; and in response to the parameter selection signals, storing in a database the plurality of selected parameters in a tax rule

template record.

The Oklahoma County Assessor's website does not teach or suggest a method of providing and selecting parameters for making property tax calculations for a property tax account for taxes to be billed or assessed by one of a plurality of such jurisdictions. As discussed above, the Oklahoma County Assessor's website deals with only a single jurisdiction, i.e. Oklahoma County. Applicants respectfully suggest, therefore, that claim 44 is patentable over the Oklahoma County Assessor's website reference.

Claims 45-54 depend from and include all of the steps of claim 44. For the reasons set forth above, therefore, Applicants respectfully suggest that claims 45-54 also are patentable over the Oklahoma County Assessor's website reference.

Finally, Applicants note that to the extent the foregoing amendment adds language to the claims stating that a jurisdiction relates to or represents a tax assessing or billing authority that has the power to prescribe property tax rules, such added language only expressly states a limitation that is inherent in the term "jurisdiction" as used in Applicant's disclosure and common tax terminology. Applicants respectfully suggest, therefore, that such added language does not narrow the scope of the claims as originally filed.

Conclusion

In view of the foregoing, Applicants respectfully submit that none of the pending claims are anticipated by or rendered obvious in view of the art of record and that all of the pending claims are in a form for allowance. Applicants therefore request reconsideration and allowance of these claims.
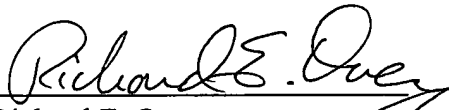
The Examiner is invited to telephone Applicants' undersigned representative if he believes that this would facilitate prosecution of the application.

Dated: December 16, 2004.

Respectfully submitted,
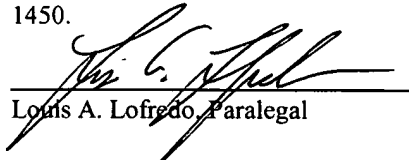
FENNEMORE CRAIG

Richard E. Oney
Registration No. 36,884
3003 North Central Avenue
Suite 2600
Phoenix, Arizona 85012
Tel: (602) 916-5303